



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
290 BROADWAY
NEW YORK, NEW YORK 10007-1866**

August 30, 2017

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Piermont Cleaners
1309 Broadway
Hewlett, NY 11557-2115
Attention: Mr. D. H. Kim

Re: Peninsula Boulevard Groundwater Plume Superfund Site, Hewlett, Nassau County,
New York

Dear Mr. Kim:

This letter follows the general notice letter that the U.S. Environmental Protection Agency ("EPA") sent to Piermont Cleaners on October 6, 2015, in connection with the Peninsula Boulevard Groundwater Plume Superfund Site, located in Hewlett, Nassau County, New York (the "Site"). In that letter, EPA notified your company that, because of its status as an owner or operator of a facility from which there was a release of hazardous substances at the Site, it is considered to be a potentially responsible party pursuant to Section 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9607(a).

As you are aware, on June 15, 2017, EPA released a Proposed Plan for the second operable unit at the Site ("OU 2"), which concerns certain sources of groundwater contamination. Based on the results of EPA's investigation at the Site, EPA has identified two dry cleaners that are sources of groundwater contamination. The Proposed Plan sets forth EPA's preferred remedy to address one source area ("AOC 1"), which consists of in-situ bioremediation with heat-enhanced plume attenuation, long-term monitoring, and institutional controls. The Proposed Plan also describes the preferred remedy to address a second source area ("AOC 2"), which consists of in-situ bioremediation, long-term monitoring, and institutional controls. The Proposed Plan was made available for public comment from June 15 to July 17, 2017, and EPA intends to make a final determination with respect to the OU2 remedy (AOC 1 and AOC 2) in the coming weeks. This determination will be memorialized in a document called a Record of Decision ("ROD") for OU2 at the Site.

Based on EPA's communications with your company to date, including a conversation on August 8, 2017, it is EPA's understanding that your company is either not willing or not able to volunteer to perform the design and implementation of a remedial action for OU2 at the Site, whether it be the preferred alternative in the Proposed Plan or some other alternative considered. If EPA is mistaken in this understanding, please contact me within fourteen (14) days, either by email at Sosa.Gloria@epa.gov or by phone at (212) 637-4283, to discuss your willingness to perform the response action. Please note that EPA continues to consider your company to be a

potentially responsible party with respect to the Site. Under CERCLA, potentially responsible parties may be held liable for the costs incurred by EPA in responding to releases at the Site.

Please also be aware that, on January 11, 2002, President Bush signed into law the "Small Business Liability Relief and Brownfields Revitalization Act." This Act contains several exemptions and defenses to CERCLA liability. You may download a copy of the law at <http://www.gpo.gov/fdsys/pkg/PLAW-107publ118/pdf/PLAW-107publ118.pdf> and review EPA guidances regarding these exemptions at <http://cfpub.epa.gov/compliance/resources/policies/cleanup/superfund/>.

EPA has created a number of helpful resources for small businesses. EPA has established the National Compliance Assistance Clearinghouse as well as Compliance Assistance Centers that offer various forms of resources to small businesses. You may inquire about these resources at <http://www.epa.gov/compliance/compliance-assistance-centers>. In addition, information on contacting EPA's Small Business Ombudsman is available at <http://www.epa.gov/resources-small-businesses/forms/contact-us-about-resources-small-businesses>. Finally, EPA has developed a fact sheet about the Small Business Regulatory Enforcement Fairness Act and information on resources for small businesses, which is available on the Agency's website at <http://www.epa.gov/compliance/small-business-resources-information-sheet>.

If you have any questions regarding the Site or the selection of an OU2 remedy, please contact me at the email address or phone number listed above. If you would like to discuss potentially resolving your liability to the United States, please contact Margo Ludmer, Assistant Regional Counsel, at (212) 637-3187 or Ludmer.Margo@epa.gov.

Sincerely yours,

A handwritten signature in blue ink that reads "G M Sosa".

Gloria Sosa, Remedial Project Manager
Emergency and Remedial Response Division